



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/023,892	12/21/2001	Jeffrey Thomas Watts	T3373-907675	5408

34610 7590 05/19/2004

FLESHNER & KIM, LLP
P.O. BOX 221200
CHANTILLY, VA 20153

EXAMINER

BHAT, ADITYA S

ART UNIT	PAPER NUMBER
----------	--------------

2863

DATE MAILED: 05/19/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/023,892

Applicant(s)

WATTS, JEFFREY THOMAS

Examiner

Aditya S Bhat

Art Unit

2863

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 15 March 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-11, 13, 14, 16-25 and 29-31 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-11, 13, 14, 16-25 and 29-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 21 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
- 1) ☐ Certified copies of the priority documents have been received.
 - 2) ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date: _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 4-9, 13-14, 16-18, 22-25, and 30 are rejected under 35 U.S.C. 102(a) as being anticipated by Conrad et al. (USPN 5,940,739).

With regards to claim 4, Conrad et al. (USPN 5,940,739) teaches a method for monitoring operation of a spacecraft, comprising:
retrieving telemetry data from a storage device; (Col. 6, lines 44-47)
processing the telemetry data; (Col.6, line 60-65) and
making the processed telemetry data accessible on a network wherein at least said processing and making steps are automatically performed in response to a request received from a customer or a technician and wherein said request is received through the network said method further comprising automatically creating an accounting record in response to said request said accounting record indicating a cost of downloading the processed telemetry data to the customer or technician from said internet website. (Col.6, lines 5-6 & 30-47)

With regards to claim 5, Conrad et al. (USPN 5,940,739) teaches making the processed telemetry data accessible on an Internet website. (Col.3 lines 7-21)

With regards to claim to Claim 6, Conrad et al. (USPN 5,940,739) teaches Internet website is a secure website. (Col.5 lines 50-57)

With regards to claim to Claim 7, Conrad et al. (USPN 5,940,739) the website is secured by password protection, and wherein said method further comprises downloading the processed telemetry data to said customer or technician only after said customer technician enters a valid password. (240; See figure 2)

With regards to claim to Claim 8, Conrad et al. (USPN 5,940,739) teaches retrieving, processing, and making steps are automatically performed on a periodic basis. (Col. 5, lines 2-6)

Art Unit: 2863

With regards to claim to Claim 9, Conrad et al. (USPN 5,940,739) teaches automatically sending the processed telemetry data to the customer or technician through said network. (Col. 5, lines 2-6)

With regards to claim to Claim 13, Conrad et al. (USPN 5,940,739) teaches that a processor controls the communications module to automatically send the processed telemetry data through the network in response to an electronic request. (355 figure 3)

With regards to claim 13, Conrad et al. (USPN 5,940,739) teaches a system for monitoring operation of a spacecraft, comprising:

- a storage device for storing telemetry data; (Col. 6, lines 44-47)
- a processor for processing the telemetry data; (355;Col.6, line 61) and
- a communications module, which makes the processed telemetry data accessible on a network. wherein said processor controls the communications module to automatically send the processed telemetry data through the network in response to an electronic request. (Col.6, lines 30-47)

With regards to claim 14, Conrad et al. (USPN 5,940,739) teaches a processor automatically creates an accounting record in response to said request said accounting record indicating a cost of sending the processed telemetry data through the network. (Col.6, lines 5-6)

With regards to claim 16, Conrad et al. (USPN 5,940,739) teaches a system for monitoring operation of a spacecraft, comprising:

- a storage device for storing telemetry data; (Col. 6, lines 44-47)
- a processor for processing the telemetry data; (355;Col.6, line 61) and
- a communications module, which makes the processed telemetry data accessible on a network wherein said communications module makes processed telemetry data accessible on an internet website(Col.3, lines 7-14) and wherein said internet website is password protected (240; figure 2)

With regards to claim to Claim 17, Conrad et al. (USPN 5,940,739) teaches processor automatically processes the telemetry data on a periodic basis. (Col. 5, lines 2-6)

With regards to claim to Claim 18, Conrad et al. (USPN 5,940,739) teaches processor controls the communications module to automatically send the processed telemetry data through the network on said periodic basis. (Col. 5, lines 2-6)

With regards to claim to Claim 22, Conrad et al. (USPN 5,940,739) teaches a method for providing an interactive website which relates to spacecraft operation, comprising:

- displaying information on said website which provides an indication of how to obtain data relating to spacecraft operation; (Col.3 lines 7-21) (Col.7 lines 1-4)
- receiving a request from a user for said data (Col.3 lines 7-10)

Art Unit: 2863

retrieving said data from a storage device in response to said request; and processing said data retrieved in said retrieving step, wherein said information is a hyperlink (Col.3 lines 55-67)

With regards to claim to Claim 23 & 25, Conrad et al. (USPN 5,940,739) teaches a request is made by a user selecting said hyperlink or icon. (230;Figure 2)

With regards to claim to Claim 24, Conrad et al. (USPN 5,940,739) teaches a method for providing an interactive website which relates to spacecraft operation, comprising:

displaying information on said website which provides an indication of how to obtain data relating to spacecraft operation; (Col.3 lines 7-21) (Col.7 lines 1-4)

receiving a request from a user for said data (Col.3 lines 7-10)

retrieving said data from a storage device in response to said request; and processing said

data retrieved in said retrieving step, wherein said information is a selectable icon (Col.3 lines 55-67)

With regards to claim to Claim 30, Conrad et al. (USPN 5,940,739) teaches a method for providing an interactive website which relates to spacecraft operation, comprising:

displaying information on said website which provides an indication of how to obtain data relating to spacecraft operation; (Col.3 lines 7-21) (Col.7 lines 1-4)

receiving a request from a user for said data (Col.3 lines 7-10)

retrieving said data from a storage device in response to said request; and

processing said data retrieved in said retrieving step, wherein said retrieving and processing steps are performed based on entry of a valid password. (Col.3 lines 55-67) (Col.5, lines 52-57)

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

Claims 10-11, 19-20 and 31 are rejected under 35 U.S.C. 102(a) as being anticipated by Moriguchi (JP405183352A).

With regards to claim10, Moriguchi (JP405183352A) teaches a method for monitoring location of a spacecraft comprising receiving

Art Unit: 2863

telemetry data from a storage device: processing the telemetry data and making the processed telemetry data accessible on a network wherein said telemetry data includes helix current data for said spacecraft. (See Abstract & constitution)

With regards to claim 11 & 20, Moriguchi (JP405183352A) teaches generating a graph, of said helix current data over a predetermined period of time. (See figure 1)

With regards to claim 19, Moriguchi (JP405183352A) teaches a method for monitoring location of a spacecraft comprising receiving a storage device for storing telemetry data: a processor for processing the telemetry data and a communications module which makes the processed telemetry data accessible on a network wherein said telemetry data includes helix current data for said spacecraft. (See Abstract & constitution)

With regards to claim 31, Moriguchi (JP405183352A) teaches receiving telemetry data from the spacecraft; and making the telemetry data accessible on a network on a real-time basis wherein said telemetry data includes helix current data for said spacecraft (See Abstract & constitution)

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Conrad et al. (USPN 5,940,739) in view of Moriguchi (JP405183352A).

With regards to claim to Claim 29, Conrad et al. (USPN 5,940,739) teaches a method for providing an interactive website which relates to spacecraft operation, comprising:

displaying information on said website which provides an indication of how to obtain data relating to spacecraft operation; (Col.3 lines 7-21) (Col.7 lines 1-4)

receiving a request from a user for said data (Col.3 lines 7-10)

retrieving said data from a storage device in response to said request; and processing said data retrieved in said retrieving step, wherein said operation data includes helix current data for said spacecraft

Conrad et al.(USPN 5,940,739) does not appear to teach data including helix current data. Moriguchi (JP405183352A) teaches data including helix current data.

It would be obvious to one skilled in the art at the time of the invention to modify Conrad et al. (USPN 5,940,739) to include the helix current data taught by Moriguchi (JP405183352A) in order to check the state of deterioration in a satellite. (See abstract)

Response to Amendment

Applicant's arguments with respect to claims 4-11, 13-14, 16-25, and 29-31 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Caldwell, III et al. (USPN 6,597,892) teaches an automated ground system with telemetry initiated command assistance, Hayashi (JP02003124865A) teaches a satellite-mounted antenna pattern measurement system and earth station and multibeam communication satellite of the satellite mounted antenna pattern measurement system and LaDue (USPN 6144859) teaches a Wireless cellular communicator system and apparatus.

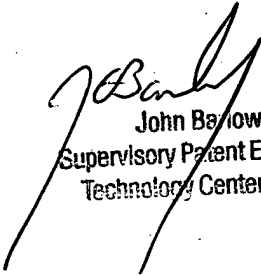
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aditya S Bhat whose telephone number is 571-272-2270. The examiner can normally be reached on M-F 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Barlow can be reached on 571-272-2269. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2863

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aditya S. Bhat
May 13, 2004



John Barlow
Supervisory Patent Examiner
Technology Center 2800